

103D CONGRESS  
1ST SESSION

# S. 1283

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IN THE HOUSE OF REPRESENTATIVES

AUGUST 6, 1993

Referred to the Committee on Education and Labor

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## AN ACT

To amend the Technology-Related Assistance for Individuals With Disabilities Act of 1988 to improve the Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Technology-Related  
5 Assistance Act Amendments of 1993”.

1 **SEC. 2. REFERENCES.**

2 Except as otherwise specifically provided, whenever in  
3 this Act an amendment or repeal is expressed in terms  
4 of an amendment to, or a repeal of, a section or other  
5 provision, the reference shall be considered to be made to  
6 a section or other provision of the Technology-Related As-  
7 sistance for Individuals With Disabilities Act of 1988 (29  
8 U.S.C. 2201 et seq.).

9 **SEC. 3. FINDINGS, PURPOSES, AND POLICY.**

10 (a) **SECTION HEADING.**—Section 2 (29 U.S.C. 2201)  
11 is amended by striking the heading and inserting the fol-  
12 lowing:

13 **“SEC. 2. FINDINGS, PURPOSES, AND POLICY.”**

14 (b) **FINDINGS.**—Section 2(a) is amended—

15 (1) in paragraph (3)(C), by striking “non-  
16 disabled individuals” and inserting “individuals who  
17 do not have disabilities”;

18 (2) by redesignating paragraphs (4) through  
19 (8) as paragraphs (5) through (9), respectively;

20 (3) by inserting after paragraph (3) the follow-  
21 ing new paragraph:

22 “(4) The goals of the Nation properly include  
23 providing individuals with disabilities with the tools,  
24 including assistive technology devices and assistive  
25 technology services, necessary to—

1           “(A) make informed choices and decisions;  
2           and

3           “(B) achieve equality of opportunity, full  
4           inclusion and integration in society, employ-  
5           ment, independent living, and economic and so-  
6           cial self-sufficiency, for such individuals.”;

7           (4) in paragraph (6) (as redesignated in para-  
8           graph (2) of this subsection)—

9           (A) by striking “assistive technology de-  
10          vices and services” and inserting “assistive  
11          technology devices and assistive technology  
12          services”; and

13          (B) by striking “families” and inserting  
14          “the parents, family members, guardians, advo-  
15          cates, and authorized representatives”;

16          (5) in subparagraph (C) of paragraph (7) (as  
17          redesignated in paragraph (2) of this subsection), to  
18          read as follows:

19          “(C) information about the potential of  
20          technology available to individuals with disabil-  
21          ities, the parents, family members, guardians,  
22          advocates, and authorized representatives of the  
23          individuals, individuals who work for public  
24          agencies, or for private entities (including insur-  
25          ers), that have contact with individuals with

1 disabilities, educators and related services per-  
2 sonnel, employers, and other appropriate indi-  
3 viduals;”;

4 (6) in paragraph (8) (as redesignated in para-  
5 graph (2) of this subsection) by striking “limited  
6 markets” and inserting “a perception that such indi-  
7 viduals constitute a limited market”; and

8 (7) in the second sentence of paragraph (9) (as  
9 redesignated in paragraph (2) of this subsection), by  
10 striking “to individuals with disabilities” and all  
11 that follows and inserting the following: “to individ-  
12 uals with disabilities, the parents, family members,  
13 guardians, advocates, and authorized representatives  
14 of the individuals, individuals who work for public  
15 agencies, or for private entities (including insurers),  
16 that have contact with individuals with disabilities,  
17 educators and related services personnel, employers,  
18 and other appropriate individuals.”.

19 (c) PURPOSES.—Section 2(b) is amended by striking  
20 paragraph (1) and inserting the following:

21 “(1) To provide financial assistance to the  
22 States to support systemic change and advocacy ac-  
23 tivities designed to assist each State in developing  
24 and implementing a consumer-responsive com-  
25 prehensive statewide program of technology-related



1 assistance, for individuals of all ages who are indi-  
2 viduals with disabilities, that is designed to—

3 “(A) increase the availability of, funding  
4 for, access to, and provision of assistive tech-  
5 nology devices and assistive technology services  
6 for individuals with disabilities;

7 “(B) increase the active involvement of in-  
8 dividuals with disabilities, and the parents, fam-  
9 ily members, guardians, advocates, and author-  
10 ized representatives of individuals with disabil-  
11 ities in the planning, development, implementa-  
12 tion and evaluation of such a program;

13 “(C) increase the involvement of individ-  
14 uals with disabilities, and, if appropriate, the  
15 parents, family members, guardians, advocates,  
16 or authorized representatives of individuals with  
17 disabilities, in decisions related to the provision  
18 of assistive technology devices and assistive  
19 technology services;

20 “(D) increase and promote interagency co-  
21 ordination among State agencies, and between  
22 State agencies and private entities, that are in-  
23 volved in carrying out activities under section  
24 101, particularly providing assistive technology  
25 devices and assistive technology services, that

1           accomplish a purpose described in another sub-  
2           paragraph of this paragraph;

3           “(E)(i) increase the awareness of laws,  
4           regulations, policies, practices, procedures, and  
5           organizational structures, that facilitate the  
6           availability or provision of assistive technology  
7           devices and assistive technology services; and

8           “(ii) facilitate the change of laws, regula-  
9           tions, policies, practices, procedures, and orga-  
10          nizational structures, that impede the availabil-  
11          ity or provision of assistive technology devices  
12          or assistive technology services;

13          “(F) increase the probability that individ-  
14          uals of all ages who are individuals with disabil-  
15          ities will, to the extent appropriate, be able to  
16          secure and maintain possession of assistive  
17          technology devices as such individuals make the  
18          transition between services offered by human  
19          service agencies or between settings of daily  
20          living;

21          “(G) enhance the skills and competencies  
22          of individuals involved in providing assistive  
23          technology devices and assistive technology  
24          services;

1           “(H) increase awareness and knowledge of  
2           the efficacy of assistive technology devices, and  
3           assistive technology services, among—

4                   “(i) individuals with disabilities;

5                   “(ii) the parents, family members,  
6                   guardians, advocates, or authorized rep-  
7                   resentatives of individuals with disabilities;

8                   “(iii) individuals who work for public  
9                   agencies, or for private entities (including  
10                  insurers), that have contact with individ-  
11                  uals with disabilities;

12                  “(iv) educators and related services  
13                  personnel;

14                  “(v) employers; and

15                  “(vi) other appropriate individuals  
16                  and entities;

17           “(I) increase the capacity of public entities  
18           and private entities to provide and pay for  
19           assistive technology devices and assistive tech-  
20           nology services, on a statewide basis for individ-  
21           uals of all ages who are individuals with disabil-  
22           ities; and

23           “(J) increase the awareness of the needs of  
24           individuals with disabilities for assistive tech-

1           nology devices and for assistive technology serv-  
2           ices.”.

3           (d) POLICY.—At the end of section 2, add the follow-  
4   ing new subsection:

5           “(c) POLICY.—It is the policy of the United States  
6   that all programs, projects, and activities receiving assist-  
7   ance under this Act shall be carried out in a manner con-  
8   sistent with the principles of—

9           “(1) respect for individual dignity, personal re-  
10       sponsibility, self-determination, and pursuit of mean-  
11       ingful careers, based on informed choice, of individ-  
12       uals with disabilities;

13           “(2) respect for the privacy, rights, and equal  
14       access (including the use of accessible formats), of  
15       the individuals;

16           “(3) inclusion, integration, and full participa-  
17       tion of the individuals;

18           “(4) support for the involvement of a parent, a  
19       family member, a guardian, an advocate, or an au-  
20       thorized representative if an individual with a dis-  
21       ability requests, desires, or needs such support; and

22           “(5) support for individual and systemic advo-  
23       cacy and community involvement.”.

24   **SEC. 4. DEFINITIONS.**

25       Section 3 (29 U.S.C. 2202) is amended—



(1) in paragraph (2)(E), by striking “for an individual” and all that follows and inserting the following “for an individual with a disability, or, where appropriate, the parent, family member, guardian, advocate, or authorized representative of an individual with a disability; and”;

(2) by redesignating paragraphs (3) through (8) as paragraphs (6), (7), (9), (10), (12), and (13), respectively;

(3) by inserting after paragraph (2) the following new paragraphs:

“(3) CONSUMER-RESPONSIVE COMPREHENSIVE STATEWIDE PROGRAM OF TECHNOLOGY-RELATED ASSISTANCE.—The term ‘consumer-responsive comprehensive statewide program of technology-related assistance’ means a statewide program of technology-related assistance developed and implemented by a State under title I that—

“(A) is consumer-responsive; and

“(B)(i) addresses the needs of all individuals with disabilities, including underserved groups, who can benefit from the use of assistive technology devices and assistive technology services;

1           “(ii) addresses such needs without regard  
2           to the age, type of disability, race, ethnicity, or  
3           gender of such individuals, or the particular  
4           major life activity for which such individuals  
5           need the assistance; and

6           “(iii) addresses such needs without requir-  
7           ing that the assistance be provided through any  
8           particular agency or service delivery system.

9           “(4)    CONSUMER-RESPONSIVE.—The    term  
10          ‘consumer-responsive’ means, with respect to an en-  
11          tity or program, that the entity or program—

12               “(A) is easily accessible to and usable by  
13               individuals with disabilities and, when appro-  
14               priate, the parents, family members, guardians,  
15               advocates, or authorized representatives of such  
16               individuals;

17               “(B) responds to the needs of individuals  
18               with disabilities in a timely and appropriate  
19               manner; and

20               “(C) facilitates the full and meaningful  
21               participation of individuals with disabilities in—

22                       “(i) decisions relating to the provision  
23                       of assistive technology devices and assistive  
24                       technology services to such individuals; and

1                   “(ii) the planning, development, im-  
 2                   plementation, and evaluation of the  
 3                   consumer-responsive comprehensive state-  
 4                   wide program of technology-related assist-  
 5                   ance for individuals with disabilities.

6                   “(5) DISABILITY.—The term ‘disability’ means  
 7                   a condition considered to be a disability or handicap  
 8                   for the purposes of any Federal law other than this  
 9                   Act or for the purposes of the law of the State in-  
 10                  volved.”;

11                  (4) in paragraph (6) (as redesignated by para-  
 12                  graph (2) of this subsection), to read as follows:

13                  “(6) INDIVIDUAL WITH A DISABILITY; INDIVID-  
 14                  UALS WITH DISABILITIES.—

15                  “(A) INDIVIDUAL WITH A DISABILITY.—  
 16                  The term ‘individual with a disability’ means  
 17                  any individual—

18                         “(i) who is considered to have a dis-  
 19                         ability for the purposes of any Federal law  
 20                         other than this Act or for the purposes of  
 21                         the law of the State in which the individual  
 22                         resides; and

23                         “(ii) who is or would be enabled by  
 24                         assistive technology devices or assistive  
 25                         technology services to maintain a level of

1 functioning or to achieve a greater level of  
2 functioning in any major life activity.

3 “(B) INDIVIDUALS WITH DISABILITIES.—

4 The term ‘individuals with disabilities’ means  
5 more than one individual with a disability.”;

6 (5) in paragraph (7) (as redesignated by para-  
7 graph (2) of this subsection) by striking “section  
8 435(b)” and inserting “section 481”;

9 (6) by inserting after such paragraph (7) the  
10 following new paragraph:

11 “(8) PROTECTION AND ADVOCACY SERVICES.—

12 The term ‘protection and advocacy services’ means  
13 services that—

14 “(A) are described in part C of the Devel-  
15 opmental Disabilities Assistance and Bill of  
16 Rights Act (42 U.S.C. 6041 et seq.), the Pro-  
17 tection and Advocacy for Mentally Ill Individ-  
18 uals Act (42 U.S.C. 10801 et seq.), or section  
19 509 of the Rehabilitation Act of 1973 (29  
20 U.S.C. 794e); and

21 “(B) assist individuals with disabilities, or  
22 the parents, family members, guardians, advo-  
23 cates, or authorized representatives of the indi-  
24 viduals, with respect to assistive technology de-  
25 vices and assistive technology services.”;



(7) in paragraph (10) (as redesignated by paragraph (2) of this subsection)—

(A) by striking “several States” and inserting “several States of the United States”;

(B) by striking “Virgin Islands” and inserting “United States Virgin Islands”; and

(C) by striking “the Trust Territory of the Pacific Islands” and inserting “the Republic of Palau (until the Compact of Free Association with Palau takes effect)”;

(8) by inserting after such paragraph (10) the following new paragraph:

“(11) SYSTEMIC CHANGE.—The term ‘systemic change’ means efforts that result in public or private agencies and organizations having greater capacity or enhanced ability to be consumer-responsive and provide funding for or access to assistive technology devices and assistive technology services, or otherwise increase the availability of such technology, to benefit individuals with disabilities, or the parents, family members, guardians, advocates, or authorized representatives of such individuals on a permanent basis.”; and

(9) in paragraph (12) (as redesignated by paragraph (2) of this subsection)—

1 (A) by striking “functions performed and”;  
2 and

3 (B) by inserting “any of subparagraphs  
4 (A) through (J) of” before “section 2(b)(1)”.

## 5 **TITLE I—GRANTS TO STATES**

### 6 **SEC. 101. PROGRAM AUTHORIZED.**

7 (a) GRANTS TO STATES.—Section 101(a) (29 U.S.C.  
8 2211(a)) is amended—

9 (1) by inserting after “provisions of this title”  
10 the following: “to support systemic change and advo-  
11 cacy activities designed”; and

12 (2) by striking “to develop and implement” and  
13 inserting “in developing and implementing”.

14 (b) ACTIVITIES.—Section 101 is amended by striking  
15 subsections (b) and (c) and inserting the following:

16 “(b) ACTIVITIES.—

17 “(1) USE OF FUNDS.—

18 “(A) IN GENERAL.—Any State that re-  
19 ceives a grant under section 102 or 103 shall  
20 use the funds made available through the grant  
21 to accomplish the purposes described in section  
22 2(b)(1) by carrying out any of the systemic  
23 change and advocacy activities described in  
24 paragraphs (2) through (12) in a manner that  
25 is consumer-responsive.

1                   “(B) PARTICULAR ACTIVITIES.—In carry-  
2                   ing out such systemic change and advocacy ac-  
3                   tivities, the State shall particularly carry out  
4                   activities regarding—

5                   “(i) the development, implementation,  
6                   and monitoring of State, regional, and  
7                   local laws, regulations, policies, practices,  
8                   procedures, and organizational structures,  
9                   that will improve access to and funding for  
10                  assistive technology devices and assistive  
11                  technology services;

12                  “(ii) the development and implementa-  
13                  tion of strategies to overcome barriers to  
14                  funding of such devices and services, with  
15                  particular emphasis on addressing the  
16                  needs of underserved groups; and

17                  “(iii) the development and implemen-  
18                  tation of strategies to enhance the ability  
19                  of individuals with disabilities, and the  
20                  parents, family members, guardians, advo-  
21                  cates, and authorized representatives of  
22                  such individuals, to successfully advocate  
23                  for access to and funding for assistive  
24                  technology devices and assistive technology  
25                  services.

1           “(2) ACCESS TO AND FUNDING FOR ASSISTIVE  
2     TECHNOLOGY.—The State may support activities to  
3     increase access to and funding for assistive tech-  
4     nology, including—

5           “(A) the identification of barriers to fund-  
6     ing of assistive technology devices and assistive  
7     technology services for individuals of all ages  
8     who are individuals with disabilities, with prior-  
9     ity for identification of barriers to funding  
10    through State special education services, voca-  
11    tional rehabilitation services, and medical as-  
12    sistance services or, as appropriate, other health  
13    and human services; and

14          “(B) the development, and evaluation of  
15    the efficacy, of model delivery systems that pro-  
16    vide assistive technology devices and assistive  
17    technology services to individuals with disabil-  
18    ities, that pay for such devices and services, and  
19    that, if successful, could be replicated or gen-  
20    erally applied, such as—

21          “(i) the development of systems for  
22    the purchase, lease, other acquisition, or  
23    payment for the provision, of assistive  
24    technology devices and assistive technology  
25    services; and



1                   “(ii) the establishment of alternative  
2                   State or privately financed systems of sub-  
3                   sidies for the provision of assistive tech-  
4                   nology devices and assistive technology  
5                   services, such as—

6                   “(I) a loan system for assistive  
7                   technology devices (including assistive  
8                   technology demonstration and recy-  
9                   cling centers);

10                  “(II) an income-contingent loan  
11                  fund;

12                  “(III) a low-interest loan fund;

13                  “(IV) a revolving loan fund;

14                  “(V) a loan insurance program;  
15                  and

16                  “(VI) a partnership with private  
17                  entities for the purchase, lease, or  
18                  other acquisition of assistive tech-  
19                  nology devices and the provision of  
20                  assistive technology services.

21                  “(3) REPRESENTATION.—The State may sup-  
22                  port individual case management or representation  
23                  of individuals with disabilities to secure their rights  
24                  to assistive technology devices and assistive tech-  
25                  nology services.

1           “(4) INTERAGENCY COORDINATION.—The State  
2           may support activities—

3                   “(A) to identify and coordinate Federal  
4           and State policies, resources, and services, re-  
5           lating to the provision of assistive technology  
6           devices and assistive technology services, for in-  
7           dividuals with disabilities, including entering  
8           into interagency agreements;

9                   “(B) to support the establishment or con-  
10          tinuation of partnerships and cooperative initia-  
11          tives among public sector agencies and between  
12          the public sector and the private sector to facili-  
13          tate the development and implementation of a  
14          consumer-responsive comprehensive statewide  
15          program of technology-related assistance for in-  
16          dividuals with disabilities;

17                  “(C) to convene interagency work groups  
18          to enhance public funding options and coordi-  
19          nate access to funding for assistive technology  
20          devices and assistive technology services for in-  
21          dividuals of all ages who are individuals with  
22          disabilities, with special attention to the issues  
23          of transition, home use, and individual involve-  
24          ment in the identification, planning, use, deliv-

ery, and evaluation of such devices and services;  
or

“(D) to document and disseminate information about interagency activities that promote coordination with respect to assistive technology services and assistive technology devices, including evidence of increased participation of State and local special education, vocational rehabilitation, and State medical assistance agencies and departments.

“(5) STATEWIDE NEEDS ASSESSMENT.—The State may conduct a statewide needs assessment, which may be based on data in existence on the date on which the assessment is initiated and may include—

“(A) estimates of the numbers of individuals with disabilities within the State, categorized by residence, type and extent of disabilities, age, race, gender, and ethnicity;

“(B) in the case of an assessment carried out under a development grant, a description of efforts, during the fiscal year preceding the first fiscal year for which the State received such a grant, to provide assistive technology devices and assistive technology services to indi-

1       viduals with disabilities within the State,  
2       including—

3               “(i) the number of individuals with  
4               disabilities who received appropriate  
5               assistive technology devices and assistive  
6               technology services; and

7               “(ii) a description of the devices and  
8               services provided;

9               “(C) information on the number of individ-  
10              uals with disabilities who are in need of  
11              assistive technology devices and assistive tech-  
12              nology services, and a description of the devices  
13              and services needed;

14              “(D) information on the cost of providing  
15              assistive technology devices and assistive tech-  
16              nology services to all individuals with disabili-  
17              ties within the State who need such devices  
18              and services;

19              “(E) a description of State and local public  
20              resources and private resources (including in-  
21              surance) that are available to establish a  
22              consumer-responsive comprehensive statewide  
23              program of technology-related assistance for in-  
24              dividuals with disabilities;



“(F) information identifying Federal and State laws, regulations, policies, practices, procedures, and organizational structures, that facilitate or interfere with the operation of a consumer-responsive comprehensive statewide program of technology-related assistance;

“(G) a description of the procurement policies of the State and the extent to which such policies will ensure, to the extent practicable, that assistive technology devices purchased, leased, or otherwise acquired with assistance made available through a grant made under section 102 or 103 are compatible with other technology devices, including technology devices designed primarily for use by—

“(i) individuals who are not individuals with disabilities;

“(ii) individuals who are elderly; or

“(iii) individuals with particular disabilities; and

“(H) information resulting from an inquiry about whether a State agency or a task force (composed of individuals representing the State and individuals representing the private sector) should study the practices of private insurance

1            companies holding licenses within the State that  
2            offer health or disability insurance policies  
3            under which an individual may obtain reim-  
4            bursement for—

5                    “(i) the purchase, lease, or other ac-  
6                    quisition of assistive technology devices; or

7                    “(ii) the use of assistive technology  
8                    services.

9            “(6) OUTREACH.—The State may provide as-  
10           assistance to statewide and community-based organiza-  
11           tions, or systems, that provide assistive technology  
12           devices and assistive technology services to individ-  
13           uals with disabilities. Such assistance may include  
14           outreach to consumer organizations and groups in  
15           the State to coordinate the activities of the organiza-  
16           tions and groups with consumer-driven efforts (in-  
17           cluding self-help, support groups, and peer  
18           mentoring) to assist individuals with disabilities, or  
19           the parents, family members, guardians, advocates,  
20           or authorized representatives of the individuals, to  
21           obtain funding for and access to assistive technology  
22           devices and assistive technology services.

23            “(7) PUBLIC AWARENESS PROGRAM.—

24                    “(A) IN GENERAL.—The State may—

1                   “(i) support a public awareness pro-  
2                   gram designed to provide information re-  
3                   lating to the availability and efficacy of  
4                   assistive technology devices and assistive  
5                   technology services for—

6                   “(I) individuals with disabilities;

7                   “(II) the parents, family mem-  
8                   bers, guardians, advocates, or author-  
9                   ized representatives of such individ-  
10                  uals;

11                  “(III) individuals who work for  
12                  public agencies, or for private entities  
13                  (including insurers), that have contact  
14                  with individuals with disabilities;

15                  “(IV) educators and related serv-  
16                  ices personnel;

17                  “(V) employers; and

18                  “(VI) other appropriate individ-  
19                  uals and entities; or

20                  “(ii) establish and support such a pro-  
21                  gram if no such program exists.

22                  “(B) CONTENTS.—Such a program may  
23                  include—

24                  “(i) the development and dissemina-  
25                  tion of information relating to—

1                   “(I) the nature of assistive tech-  
2                   nology devices and assistive tech-  
3                   nology services;

4                   “(II) the appropriateness, cost,  
5                   and availability of, and access to  
6                   assistive technology devices and  
7                   assistive technology services; and

8                   “(III) the efficacy of assistive  
9                   technology devices and assistive tech-  
10                  nology services with respect to en-  
11                  hancing the capacity of individuals  
12                  with disabilities;

13                 “(ii) the development of procedures  
14                 for providing direct communication among  
15                 public providers of assistive technology de-  
16                 vices and assistive technology services and  
17                 between public providers and private pro-  
18                 viders of such devices and services (includ-  
19                 ing employers); and

20                 “(iii) the development and dissemina-  
21                 tion of information relating to—

22                         “(I) use of the program by indi-  
23                         viduals with disabilities, the parents,  
24                         family members, guardians, advocates,  
25                         or authorized representatives of such



1 individuals, professionals who work in  
2 a field related to an activity described  
3 in this section, and other appropriate  
4 individuals; and

5 “(II) the nature of the inquiries  
6 made by the persons described in  
7 subclause (I).

8 “(8) TRAINING AND TECHNICAL ASSISTANCE.—

9 The State may carry out directly, or may provide  
10 support to a public or private entity to carry out,  
11 training and technical assistance activities—

12 “(A) that—

13 “(i) are provided for individuals with  
14 disabilities, the parents, family members,  
15 guardians, advocates, and authorized rep-  
16 resentatives of the individuals, and other  
17 appropriate individuals; and

18 “(ii) may include—

19 “(I) training in the use of  
20 assistive technology devices and  
21 assistive technology services;

22 “(II) the development of written  
23 materials, training, and technical as-  
24 sistance describing the means by  
25 which agencies consider the needs of

1 an individual with a disability for  
2 assistive technology devices and  
3 assistive technology services in devel-  
4 oping, for the individual, any individ-  
5 ualized education program described  
6 in section 614(a)(5) of the Individuals  
7 with Disabilities Education Act (20  
8 U.S.C. 1414(a)(5)), any individualized  
9 written rehabilitation program de-  
10 scribed in section 102 of the Rehabili-  
11 tation Act of 1973 (29 U.S.C. 722),  
12 any individualized family service plan  
13 described in section 677 of the Indi-  
14 viduals with Disabilities Education  
15 Act (20 U.S.C. 1477), and any other  
16 individualized plans or programs;

17 “(III) training regarding the  
18 rights of the persons described in  
19 clause (i) to assistive technology de-  
20 vices and assistive technology services  
21 under public laws and regulations in  
22 existence at the time of the training,  
23 to promote fuller independence, pro-  
24 ductivity, and inclusion in and inte-

1                   gration into society of such persons;  
2                   and

3                   “(IV) training to increase  
4                   consumer participation in the identi-  
5                   fication, planning, use, delivery, and  
6                   evaluation of assistive technology de-  
7                   vices and assistive technology services;  
8                   and

9                   “(B) that—

10                   “(i) enhance the assistive technology  
11                   skills and competencies of—

12                   “(I) individuals who work for  
13                   public agencies, or for private entities  
14                   (including insurers), that have contact  
15                   with individuals with disabilities;

16                   “(II) educators and related serv-  
17                   ices personnel;

18                   “(III) employers; and

19                   “(IV) other appropriate person-  
20                   nel; and

21                   “(ii) include—

22                   “(I) developing and implementing  
23                   strategies for including such training  
24                   within State training initiatives; and

1                   “(II) taking actions to facilitate  
2                   the development of standards, or,  
3                   when appropriate, the application of  
4                   such standards, to ensure the avail-  
5                   ability of qualified personnel.

6                   “(9) PROGRAM DATA.—The State may support  
7                   the compilation and evaluation of appropriate data  
8                   related to a program described in subsection (a).

9                   “(10) ACCESS TO TECHNOLOGY-RELATED IN-  
10                  FORMATION.—

11                  “(A) IN GENERAL.—The State may de-  
12                  velop, operate, or expand a system for public  
13                  access to information concerning an activity  
14                  carried out under another paragraph of this  
15                  subsection, including information about  
16                  assistive technology devices and assistive tech-  
17                  nology services, funding sources and costs of  
18                  such assistance, and individuals, organizations,  
19                  and agencies capable of carrying out such an  
20                  activity for individuals with disabilities.

21                  “(B) SYSTEM.—In developing, operating,  
22                  or expanding a system described in subpara-  
23                  graph (A), the State may—

24                         “(i) develop, compile, and categorize  
25                         print, braille, audio, and video materials,



1                   and materials in electronic formats, con-  
2                   taining the information described in sub-  
3                   paragraph (A);

4                   “(ii) identify and classify existing  
5                   funding sources, and the conditions of and  
6                   criteria for access to such sources, includ-  
7                   ing any funding mechanisms or strategies  
8                   developed by the State;

9                   “(iii) identify existing support groups  
10                  and systems designed to help individuals  
11                  with disabilities make effective use of an  
12                  activity carried out under another para-  
13                  graph of this subsection; and

14                  “(iv) maintain a record of the extent  
15                  to which citizens of the State use or make  
16                  inquiries of the system established in sub-  
17                  paragraph (A), and of the nature of such  
18                  inquiries.

19                  “(11) INTERSTATE AGREEMENTS.—The State  
20                  may enter into cooperative agreements with other  
21                  States to expand the capacity of the States involved  
22                  to assist individuals of all ages who are individuals  
23                  with disabilities to learn about, acquire, use, main-  
24                  tain, adapt, and upgrade assistive technology devices  
25                  and assistive technology services that such individ-

1 uals need at home, at school, at work, or in other  
2 environments that are part of daily living.

3 “(12) OTHER ACTIVITIES.—The State may uti-  
4 lize amounts made available through grants made  
5 under section 102 or 103 for any systemic change  
6 and advocacy activities, other than the activities de-  
7 scribed in another paragraph of this subsection, that  
8 are necessary for developing, implementing, or evalu-  
9 ating the consumer-responsive comprehensive state-  
10 wide program of technology-related assistance.”.

11 (c) CONFORMING AMENDMENT.—Section 231(b)(1)  
12 is amended by striking “section 101(c)(1)” and inserting  
13 “section 101(b)(2)(B)”.

14 **SEC. 102. DEVELOPMENT GRANTS.**

15 Section 102 (29 U.S.C. 2212) is amended—

16 (1) in subsection (a)—

17 (A) by striking “3-year grants” and insert-  
18 ing “3-year grants to support systemic change  
19 and advocacy activities described in section  
20 101(b)”; and

21 (B) by striking “to develop and implement  
22 statewide programs” and inserting “in develop-  
23 ing and implementing consumer-responsive  
24 comprehensive statewide programs”;

25 (2) by striking subsection (b);

1 (3) by redesignating subsections (c) and (d) as  
 2 subsections (b) and (c), respectively;

3 (4) in subsection (b) (as redesignated in para-  
 4 graph (3) of this section)—

5 (A) in paragraph (3)(C), by striking  
 6 “statewide program” and inserting “consumer-  
 7 responsive comprehensive statewide program”;  
 8 and

9 (B) in paragraph (5)—

10 (i) in subparagraph (A)—

11 (I) by striking “(A)” and insert-  
 12 ing “(A) STATE.—”;

13 (II) by inserting “United States”  
 14 before “Virgin Islands”; and

15 (III) by striking “Trust Territory  
 16 of the Pacific Islands” and inserting  
 17 “Republic of Palau”; and

18 (ii) in subparagraph (B)—

19 (I) by striking “(B)” and insert-  
 20 ing “(B) TERRITORY.—”;

21 (II) by inserting “United States”  
 22 before “Virgin Islands”; and

23 (III) by striking “Trust Territory  
 24 of the Pacific Islands” and inserting  
 25 “Republic of Palau (until the Com-

1                    pact of Free Association takes ef-  
2                    fect)";

3                    (5) in paragraph (2) of subsection (c) (as redes-  
4                    igned in paragraph (3) of this section) by striking  
5                    "statewide programs" and inserting "consumer-re-  
6                    sponsive comprehensive statewide programs";

7                    (6) by inserting after such subsection (c) the  
8                    following:

9                    "(d) DESIGNATION OF THE LEAD AGENCY.—

10                    "(1) DESIGNATION.—In each State that desires  
11                    to receive a grant under this section, the Governor  
12                    shall designate a lead agency responsible for—

13                    "(A) submitting the application described  
14                    in subsection (e) on behalf of the State;

15                    "(B) administering and supervising the use  
16                    of amounts made available under the grant;

17                    "(C)(i) coordinating efforts related to, and  
18                    supervising the preparation of the application;

19                    "(ii) coordinating the planning, develop-  
20                    ment, and implementation of the consumer-re-  
21                    sponsive comprehensive statewide program of  
22                    technology-related assistance among public  
23                    agencies and between public agencies and pri-  
24                    vate agencies, including coordinating efforts re-



1           lated to entering into interagency agreements;  
2           and

3                 “(iii) coordinating efforts related to, and  
4           supervising, the active, timely, and meaningful  
5           participation by individuals with disabilities, the  
6           parents, family members, guardians, advocates,  
7           or authorized representatives of such individ-  
8           uals, and other appropriate individuals, with re-  
9           spect to activities carried out under the grant;  
10          and

11                 “(D) the delegation, in whole or in part, of  
12          any responsibilities described in subparagraph  
13          (A), (B), or (C) to one or more appropriate of-  
14          fices, agencies, entities, or individuals.

15                 “(2) QUALIFICATIONS.—In designating the lead  
16          agency, the Governor—

17                 “(A) may designate—

18                         “(i) a commission appointed by the  
19                  Governor;

20                         “(ii) a public-private partnership or  
21                  consortium;

22                         “(iii) a university-affiliated program;

23                         “(iv) a public agency;

24                         “(v) a council established under Fed-  
25                  eral or State law; or

1                   “(vi) another appropriate office, agen-  
2                   cy, entity, or individual; and

3                   “(B) shall designate an entity that pro-  
4                   vides evidence of ability to—

5                   “(i) respond to needs of individuals  
6                   with disabilities who represent a variety of  
7                   ages and types of disabilities;

8                   “(ii) respond statewide to the assistive  
9                   technology needs of individuals with dis-  
10                  abilities;

11                  “(iii) promote and accomplish sys-  
12                  temic change;

13                  “(iv) promote and accomplish the es-  
14                  tablishment of public-private partnerships;

15                  “(v) exercise leadership in identifying  
16                  and responding to the technology needs of  
17                  individuals with disabilities and the par-  
18                  ents, family members, guardians, advo-  
19                  cates, and authorized representatives of  
20                  such individuals;

21                  “(vi) document consumer confidence  
22                  in, and responsiveness to, the consumer-re-  
23                  sponsive comprehensive statewide program  
24                  of technology-related assistance; and

1                   “(vii) exercise leadership in imple-  
2                   menting effective strategies for capacity  
3                   building and training for appropriate enti-  
4                   ties, and enhancement of interagency co-  
5                   ordination of activities related to funding  
6                   for assistive technology devices and  
7                   assistive technology services.”;

8                   (7) in subsection (e)—

9                   (A) by striking paragraphs (1), (2), and  
10                  (3) and inserting the following:

11                  “(1) DESIGNATION OF THE LEAD AGENCY.—In-  
12                  formation identifying the lead agency designated by  
13                  the Governor under subsection (d).

14                  “(2) AGENCY INVOLVEMENT.—A description of  
15                  the nature and extent of involvement of various  
16                  State agencies, including the State insurance depart-  
17                  ment, in the preparation of the application and the  
18                  continuing role of each such agency in the develop-  
19                  ment, implementation, and evaluation of the  
20                  consumer-responsive comprehensive statewide pro-  
21                  gram of technology-related assistance, including a  
22                  description of the process used by each agency for  
23                  providing access to and funding for assistive tech-  
24                  nology devices and assistive technology services.

25                  “(3) INVOLVEMENT.—

1                   “(A) CONSUMER INVOLVEMENT.—A de-  
2                   scription of procedures that—

3                   “(i) provide for—

4                   “(I) the active involvement of in-  
5                   dividuals with disabilities, the parents,  
6                   family members, guardians, advocates,  
7                   and authorized representatives of the  
8                   individuals, and other appropriate in-  
9                   dividuals, in the development, imple-  
10                  mentation, and evaluation of the pro-  
11                  gram; and

12                  “(II) the active involvement, to  
13                  the maximum extent appropriate, of  
14                  individuals with disabilities who use  
15                  assistive technology devices and  
16                  assistive technology services, in deci-  
17                  sions relating to such devices and  
18                  services; and

19                  “(ii) shall include—

20                  “(I) mechanisms to provide sup-  
21                  port for the expenses related to such  
22                  involvement of individuals with dis-  
23                  abilities, including payment of travel  
24                  expenses, qualified interpreters, read-  
25                  ers, personal care assistants, or other



1 similar services and action necessary  
2 to ensure participation by such indi-  
3 viduals; and

4 “(II) mechanisms for determin-  
5 ing consumer satisfaction and partici-  
6 pation of individuals with disabilities  
7 who represent a variety of ages and  
8 types of disabilities, in the consumer-  
9 responsive comprehensive statewide  
10 program of technology-related assist-  
11 ance.

12 “(B) PUBLIC INVOLVEMENT.—A descrip-  
13 tion of the nature and extent of—

14 “(i) the involvement of—

15 “(I) individuals with disabilities;

16 “(II) the parents, family mem-  
17 bers, guardians, advocates, or author-  
18 ized representatives of such individ-  
19 uals;

20 “(III) other appropriate individ-  
21 uals who are not employed by a State  
22 agency; and

23 “(IV) organizations, providers,  
24 and interested parties, in the private  
25 sector,

1 in the designation of the lead agency under  
2 subsection (d), and in the development of  
3 the application; and

4 “(ii) the continuing role of the individ-  
5 uals and entities described in clause (i) in  
6 the program.”;

7 (B) in paragraphs (4) and (5), by striking  
8 “statewide program” each place the term ap-  
9 pears and inserting “consumer-responsive com-  
10 prehensive statewide program”;

11 (C) by striking paragraphs (6) and (7) and  
12 inserting the following:

13 “(6) GOALS, OBJECTIVES, ACTIVITIES, AND  
14 OUTCOMES.—Information on the program to be car-  
15 ried out under the grant with respect to—

16 “(A) the goals and objectives of the State  
17 for the program;

18 “(B) the systemic change and advocacy ac-  
19 tivities described in section 101(b) that the  
20 State plans to carry out under the program, in-  
21 cluding, at a minimum, activities related to ac-  
22 cess to, and funding for, assistive technology  
23 devices and assistive technology services, case  
24 management or representation, and interagency  
25 coordination as described in section 101(b), un-

1 less the State demonstrates through the  
2 progress reports required under section 104  
3 that—

4 “(i) significant progress has been  
5 made in the development and implementa-  
6 tion of such a program; and

7 “(ii) other systemic change and advo-  
8 cacy activities described in section 101(b)  
9 will increase the likelihood that the pro-  
10 gram will accomplish the purposes set out  
11 in 2(b)(1); and

12 “(C) the expected outcomes of the State  
13 for the program,  
14 consistent with the purposes described in section  
15 2(b)(1).

16 “(7) DATA COLLECTION AND EVALUATIONS.—A  
17 description of—

18 “(A) the data collection system used for  
19 compiling information about the program, con-  
20 sistent with such requirements as the Secretary  
21 may establish for such system, and, to the ex-  
22 tent that a national classification system is de-  
23 veloped pursuant to section 201, consistent with  
24 such classification system; and

1           “(B) the procedures that will be used to  
2           conduct evaluations of the program.”;

3           (D) in paragraphs (11)(B)(i) and (12)(B)  
4           by striking “individual with disabilities” and in-  
5           serting “individual with a disability”;

6           (E) in paragraph (16)(A), by striking  
7           “families or representatives” and inserting  
8           “parents, family members, guardians, advo-  
9           cates, or authorized representatives”;

10          (F) by redesignating paragraph (17) as  
11          paragraph (22); and

12          (G) by inserting after paragraph (16) the  
13          following new paragraphs:

14          “(17) AUTHORITY TO USE FUNDS.—An assur-  
15          ance that the lead agency designated under sub-  
16          section (d) will have the authority to use funds made  
17          available through a grant made under section 102 or  
18          103 to comply with the requirements of section 102  
19          or 103, respectively, including the ability to hire  
20          qualified staff necessary to carry out activities under  
21          the program.

22          “(18) PROTECTION AND ADVOCACY SERV-  
23          ICES.—Either—

24                 “(A) an assurance that the State will an-  
25                 nually provide, from the funds made available



1 to the State through a grant made under sec-  
2 tion 102 or 103, not less than an amount equal  
3 to the lesser of—

4 “(i) \$75,000; or

5 “(ii) 10 percent of such funds,

6 in order to make a grant or enter into a con-  
7 tract to support protection and advocacy serv-  
8 ices to assist individuals with disabilities in re-  
9 ceiving appropriate assistive technology devices  
10 and assistive technology services through the  
11 systems established to provide protection and  
12 advocacy under the Developmental Disabilities  
13 Assistance and Bill of Rights Act (42 U.S.C.  
14 6000 et seq.), the Protection and Advocacy for  
15 Mentally Ill Individuals Act (42 U.S.C. 10801  
16 et seq.), and section 509 of the Rehabilitation  
17 Act of 1973 (29 U.S.C. 794e); or

18 “(B) at the discretion of the State, a re-  
19 quest that the Secretary annually reserve, from  
20 the funds made available to the State through  
21 a grant made under section 102 or 103, not  
22 less than the amount described in subparagraph  
23 (A) in order for the Secretary to make a grant  
24 or enter into a contract to support the protec-  
25 tion and advocacy services described in sub-

1 paragraph (A) through entities described in  
2 subparagraph (A).

3 “(19) LIMIT ON INDIRECT COSTS.—An assur-  
4 ance that the State will not use more than 8 percent  
5 of the funds made available to the State through a  
6 grant made under section 102 or 103 for the indi-  
7 rect costs of the program.

8 “(20) COORDINATION WITH STATE  
9 COUNCILS.—An assurance that the lead agency will  
10 coordinate the activities funded through a grant  
11 made under section 102 or 103 with the activities  
12 carried out by other councils within the State,  
13 including—

14 “(A) any council or commission specified  
15 in the assurance provided by the State in ac-  
16 cordance with section 101(36) of the Rehabili-  
17 tation Act of 1973 (29 U.S.C. 721(36));

18 “(B) the Statewide Independent Living  
19 Council established under section 705 of the  
20 Rehabilitation Act (29 U.S.C. 796d);

21 “(C) the advisory panel established under  
22 section 613(a)(12) of the Individuals with Dis-  
23 abilities Education Act (20 U.S.C.  
24 1413(a)(12));

1 “(D) the State Planning Council described  
 2 in section 124 of the Developmental Disabilities  
 3 Assistance and Bill of Rights Act (42 U.S.C.  
 4 6024);

5 “(E) the State mental health planning  
 6 council established under section 1914 of the  
 7 Public Health Service Act (42 U.S.C. 300x-3);  
 8 and

9 “(F) any council established under section  
 10 204, 206(g)(2)(A), or 712(a)(3)(H) of the  
 11 Older Americans Act of 1965 (42 U.S.C. 3015,  
 12 3017(g)(2)(A), and 3058g(a)(3)(H).

13 “(21) COORDINATION WITH OTHER SYSTEMIC  
 14 CHANGE PROJECTS.—An assurance that the lead  
 15 agency will coordinate the activities funded through  
 16 a grant made under section 102 or 103 with the ac-  
 17 tivities carried out by other systemic change projects  
 18 funded through Federal or State sources.”; and

19 (8) by adding at the end the following:

20 “(f) PROTECTION AND ADVOCACY REQUIREMENTS.—

21 “(1) REQUIREMENTS.—A State that, as of  
 22 June 30, 1993, has provided for protection and ad-  
 23 vocacy services through a program that—

24 “(A) is comparable to the program de-  
 25 scribed in subsection (e)(18); and

1           “(B) is not carried out by an entity de-  
2           scribed in such subsection,  
3           shall be considered to meet the requirements of such  
4           subsection.

5           “(2) PROTECTION AND ADVOCACY SERVICE  
6           PROVIDER REPORT.—

7           “(A) PREPARATION.—An entity that re-  
8           ceives funds reserved under subsection  
9           (e)(18)(B) to carry out the protection and advo-  
10          cacy services described in subsection (e)(18)(A)  
11          in a State shall prepare reports that—

12               “(i) describe the activities carried out  
13               by the entity with such funds; and

14               “(ii) contain such additional informa-  
15               tion as the Secretary may require.

16          “(B) SUBMISSION.—The entity shall sub-  
17          mit the reports to the program described in  
18          subsection (a) in the State not less often than  
19          every 6 months.

20          “(C) UPDATES.—The entity shall provide  
21          monthly updates to the program described in  
22          subsection (a) concerning the activities and in-  
23          formation described in subparagraph (A).

24          “(3) CONSULTATION WITH STATE PROGRAMS.—  
25          Before making a grant or entering into a contract



under subsection (e)(18)(B) to support the protection and advocacy services described in subsection (e)(18)(A) in a State, the Secretary shall solicit and consider the opinions of the lead agency designated under subsection (d) in the State with respect to the terms of the grant or contract.”.

**SEC. 103. EXTENSION GRANTS.**

Section 103 (29 U.S.C. 2213) is amended to read as follows:

**“SEC. 103. EXTENSION GRANTS.**

**“(a) EXTENSION GRANTS.—**

**“(1) INITIAL EXTENSION GRANT.—**The Secretary may award an initial 2-year extension grant to any State that meets the standards specified in subsection (b)(1).

**“(2) ADDITIONAL EXTENSION GRANT.—**The Secretary may award an additional 3-year extension grant to any State that meets the standards specified in subsection (b)(2).

**“(b) STANDARDS.—**

**“(1) INITIAL EXTENSION GRANT.—**In order for a State to receive an initial extension grant under this section, the designated lead agency of the State shall—

1           “(A) provide the evidence described in sec-  
2           tion 102(d)(2)(B); and

3           “(B) demonstrate that the State has made  
4           significant progress, and has carried out sys-  
5           temic change and advocacy activities described  
6           in section 101(b) that have resulted in signifi-  
7           cant progress, toward development and the im-  
8           plementation of a consumer-responsive com-  
9           prehensive statewide program of technology-re-  
10          lated assistance, consistent with sections  
11          2(b)(1), 101, and 102.

12          “(2) ADDITIONAL EXTENSION GRANT.—In  
13          order for a State to receive an additional extension  
14          grant under this section, the designated lead agency  
15          shall—

16               “(A) provide the evidence and make the  
17               demonstration described in paragraph (1);

18               “(B) describe the steps the State has  
19               taken or will take to continue on a permanent  
20               basis the consumer-responsive comprehensive  
21               statewide program of technology-related assist-  
22               ance with the ability to maintain, at a mini-  
23               mum, the outcomes achieved by the systemic  
24               change and advocacy activities; and

1           “(C) identify future funding options and  
2           commitments for the program from the public  
3           and private sector and the key individuals,  
4           agencies, and organizations to be involved in,  
5           and to direct future efforts of, the program.

6           “(c) AMOUNTS OF GRANTS.—

7           “(1) IN GENERAL.—

8           “(A) STATES.—From amounts appro-  
9           priated under section 106 for any fiscal year,  
10          the Secretary shall pay to each State that re-  
11          ceives a grant under this section an amount  
12          that is not less than \$500,000 and not more  
13          than \$1,500,000.

14          “(B) TERRITORIES.—From amounts ap-  
15          propriated under section 106 for any fiscal  
16          year, the Secretary shall pay to each territory  
17          that receives a grant under this section an  
18          amount that is not more than \$150,000.

19          “(C) DEFINITIONS.—For purposes of this  
20          paragraph:

21                 “(i) STATE.—The term ‘State’ does  
22                 not include the United States Virgin Is-  
23                 lands, Guam, American Samoa, the Com-  
24                 monwealth of the Northern Mariana Is-  
25                 lands, or the Republic of Palau.

1                   “(ii) TERRITORY.—The term ‘terri-  
2                   tory’ means the United States Virgin Is-  
3                   lands, Guam, American Samoa, the Com-  
4                   monwealth of the Northern Mariana Is-  
5                   lands, and the Republic of Palau (until the  
6                   Compact of Free Association takes effect).

7                   “(2) CALCULATION OF AMOUNT.—The Sec-  
8                   retary shall calculate the amount described in sub-  
9                   paragraph (A) or (B) of paragraph (1) with respect  
10                  to a State on the basis of—

11                  “(A) amounts available for making grants  
12                  pursuant to this section;

13                  “(B) the population of the State;

14                  “(C) the types of assistance to be provided  
15                  in the State; and

16                  “(D) the amount of resources committed  
17                  by the State and available to the State from  
18                  other sources.

19                  “(3) PRIORITY FOR PREVIOUSLY PARTICIPAT-  
20                  ING STATES.—Amounts appropriated in any fiscal  
21                  year for purposes of carrying out the provisions of  
22                  this section shall first be made available to States  
23                  that received grants under this section during the  
24                  fiscal year preceding the fiscal year concerned.



1       “(d) APPLICATION.—A State that desires to receive  
2 an extension grant under this section shall submit an ap-  
3 plication that contains the following information and as-  
4 surances with respect to the consumer-responsive com-  
5 prehensive statewide program of technology-related assist-  
6 ance in the State:

7               “(1) INFORMATION AND ASSURANCES.—The in-  
8 formation and assurances described in section  
9 102(e), except the preliminary needs assessment de-  
10 scribed in section 102(e)(4).

11              “(2) NEEDS; PROBLEMS; STRATEGIES; OUT-  
12 REACH.—

13               “(A) NEEDS.—A description of needs re-  
14 lating to technology-related assistance of indi-  
15 viduals with disabilities (including individuals  
16 from underserved groups), the parents, family  
17 members, guardians, advocates, or authorized  
18 representatives of individuals with disabilities,  
19 and other appropriate individuals within the  
20 State.

21               “(B) PROBLEMS.—A description of any  
22 problems that remain with the development and  
23 implementation of a consumer-responsive com-  
24 prehensive statewide program of technology-re-  
25 lated assistance in the State.

1           “(C) STRATEGIES.—A description of the  
2           strategies that the State will pursue during the  
3           grant period to remedy the problems with the  
4           development and implementation of such a pro-  
5           gram.

6           “(D) OUTREACH ACTIVITIES.—A descrip-  
7           tion of outreach activities to be conducted by  
8           the State, including dissemination of informa-  
9           tion to eligible populations, with special atten-  
10          tion to underserved groups.

11          “(3) ACTIVITIES AND PROGRESS UNDER PRE-  
12          VIOUS GRANT.—A description of—

13               “(A) the specific systemic change and ad-  
14               vocacy activities described in section 101(b)  
15               carried out under the development grant re-  
16               ceived by the State under section 102, or, in the  
17               case of an application for a grant under sub-  
18               section (a)(2), under an initial extension grant  
19               received by the State under this section,  
20               including—

21                       “(i) a description of State actions that  
22                       were undertaken to produce systemic  
23                       change on a permanent basis for individ-  
24                       uals of all ages who are individuals with  
25                       disabilities;

1                   “(ii) a description of activities under-  
2                   taken to improve the involvement of indi-  
3                   viduals with disabilities in the program, in-  
4                   cluding training and technical assistance  
5                   efforts to improve individual access to  
6                   assistive technology devices and assistive  
7                   technology services as mandated under  
8                   public laws and regulations as in effect on  
9                   the date of the application; and

10                   “(iii) an evaluation of impact and re-  
11                   sults of the activities described in clauses  
12                   (i) and (ii);

13                   “(B) the relationship of such systemic  
14                   change and advocacy activities to the develop-  
15                   ment and implementation of a consumer-re-  
16                   sponsive comprehensive statewide program of  
17                   technology-related assistance; and

18                   “(C) the progress made toward the devel-  
19                   opment and implementation of such a program.

20                   “(4) PUBLIC INVOLVEMENT.—

21                   “(A) REPORT.—In the case of an applica-  
22                   tion for a grant under subsection (a)(1), a re-  
23                   port on the hearing described in subsection  
24                   (e)(1) or, in the case of an application for a

1 grant under subsection (a)(2), a report on the  
2 hearing described in subsection (e)(2).

3 “(B) OTHER STATE ACTIONS.—A descrip-  
4 tion of State actions, other than such a hearing,  
5 designed to determine the degree of satisfaction  
6 of individuals with disabilities, the parents,  
7 family members, guardians, advocates, or au-  
8 thorized representatives of such individuals,  
9 public service providers and private service pro-  
10 viders, educators and related services providers,  
11 employers, and other appropriate individuals  
12 and entities with—

13 “(i) the degree of their ongoing in-  
14 volvement in the development and imple-  
15 mentation of the consumer-responsive com-  
16 prehensive statewide program of tech-  
17 nology-related assistance;

18 “(ii) the specific systemic change and  
19 advocacy activities described in section  
20 101(b) carried out by the State under the  
21 development grant or the initial extension  
22 grant;

23 “(iii) progress made toward the devel-  
24 opment and implementation of a consumer-



1 responsive comprehensive statewide pro-  
2 gram of technology-related assistance; and  
3 “(iv) the ability of the lead agency to  
4 carry out the activities described in section  
5 102(d)(2)(B).

6 “(5) COMMENTS.—A summary of any com-  
7 ments received concerning the issues described in  
8 paragraph (4) and response of the State to such  
9 comments, solicited through a public hearing re-  
10 ferred to in paragraph (4) or through other means,  
11 from individuals affected by the consumer-responsive  
12 comprehensive statewide program of technology-re-  
13 lated assistance, including—

14 “(A) individuals with disabilities;

15 “(B) the parents, family members, guard-  
16 ians, advocates, or authorized representatives of  
17 such individuals;

18 “(C) public service providers and private  
19 service providers;

20 “(D) educators and related services per-  
21 sonnel;

22 “(E) employers; and

23 “(F) other appropriate individuals and en-  
24 tities.

1           “(6) COMPATIBILITY AND ACCESSIBILITY OF  
2       ELECTRONIC EQUIPMENT.—An assurance that the  
3       State will comply with guidelines established under  
4       section 508 of the Rehabilitation Act of 1973 (29  
5       U.S.C. 794d).

6       “(e) PUBLIC HEARING.—

7           “(1) INITIAL EXTENSION GRANT.—To be eligi-  
8       ble to receive a grant under subsection (a)(1), a  
9       State shall hold a public hearing in the third year  
10      of a program carried out under a grant made under  
11      section 102, after providing appropriate and suffi-  
12      cient notice to allow interested groups and organiza-  
13      tions and all segments of the public an opportunity  
14      to comment on the program.

15          “(2) ADDITIONAL EXTENSION GRANT.—To be  
16      eligible to receive a grant under subsection (a)(2), a  
17      State shall hold a public hearing in the second year  
18      of a program carried out under a grant made under  
19      subsection (a)(1), after providing the notice de-  
20      scribed in paragraph (1).”.

21   **SEC. 104. PROGRESS CRITERIA AND REPORTS.**

22       Section 104 (29 U.S.C. 2214) is amended to read as  
23   follows:

1 **"SEC. 104. PROGRESS CRITERIA AND REPORTS.**

2       “(a) REGULATIONS.—The Secretary shall by regula-  
3 tion establish criteria for determining, for purposes of this  
4 title, whether a State that received a grant under section  
5 102 or 103 is making significant progress in developing  
6 and implementing a consumer-responsive comprehensive  
7 statewide program of technology-related assistance. Such  
8 criteria shall include standards for assessing the impact  
9 of the systemic change and advocacy activities described  
10 in section 101(b) in the State in achieving the purposes  
11 described in section 2(b)(1).

12       “(b) REPORTS.—Each State that receives a grant  
13 under section 102 or 103 to carry out a program shall  
14 submit to the Secretary annually a report that—

15               “(1) documents the significant progress made  
16 by the State in developing and implementing the  
17 program, consistent with the standards and criteria  
18 established under subsection (a); and

19               “(2) includes information on—

20                       “(A) identification of the successful sys-  
21 temic change and advocacy activities carried out  
22 through the program to increase funding for,  
23 and access to, assistive technology devices and  
24 assistive technology services, including an anal-  
25 ysis of laws, regulations, policies, practices, pro-  
26 cedures, and organizational structures, that—

1                   “(i) have changed as a result of the  
2                   program to facilitate the acquisition of  
3                   assistive technology;

4                   “(ii) the program has attempted to  
5                   change during the grant period; or

6                   “(iii) need to be changed in the next  
7                   grant period;

8                   “(B) the degree of consumer involvement  
9                   of individuals with disabilities who represent a  
10                  variety of ages and type of disabilities, in terms  
11                  of—

12                  “(i) the numbers of consumers in-  
13                  volved;

14                  “(ii) the activities that the consumers  
15                  are involved in; and

16                  “(iii) the outreach activities of the  
17                  State intended to increase consumer par-  
18                  ticipation in the consumer-responsive com-  
19                  prehensive statewide program of tech-  
20                  nology-related assistance;

21                  “(C) the degree of consumer satisfaction  
22                  with the program;

23                  “(D) the degree of involvement of various  
24                  State agencies, including the State insurance  
25                  department, in the preparation of the applica-



1           tion for the program and the continuing role of  
2           each agency in the development and implemen-  
3           tation of the program, including—

4                   “(i) a description of the process used  
5                   by each agency for providing access to and  
6                   funding for assistive technology devices  
7                   and assistive technology services; and

8                   “(ii) a description of the activities un-  
9                   dertaken to enhance interagency coordina-  
10                  tion of the provision of assistive technology  
11                  devices and assistive technology services;

12                  “(E) documentation of efforts to collect  
13                  and disseminate information on successful ef-  
14                  forts to secure assistive technology devices and  
15                  assistive technology services that occurred as a  
16                  result of systemic change and advocacy activi-  
17                  ties identified in paragraph (2); and

18                  “(F) identification and documentation of  
19                  State and local laws, regulations, policies, prac-  
20                  tices, procedures, and organizational structures  
21                  that have been developed or changed in order to  
22                  inform individuals with disabilities, or the par-  
23                  ents, family members, guardians, advocates, or  
24                  authorized representatives of the individuals, of  
25                  Federal requirements pertaining to assistive

1 technology devices and assistive technology  
 2 services, particularly under parts B and H of  
 3 the Individuals with Disabilities Education Act  
 4 (20 U.S.C. 1411 et seq. and 1471 et seq.) and  
 5 title I of the Rehabilitation Act of 1973 (29  
 6 U.S.C. 720 et seq.).”.

7 **SEC. 105. ADMINISTRATIVE PROVISIONS.**

8 (a) REVIEW OF PARTICIPATING STATES.—Section  
 9 105(a) (29 U.S.C. 2215(a)) is amended—

10 (1) in paragraph (1), by inserting before the pe-  
 11 riod the following: “, consistent with the standards  
 12 and criteria established under section 104(a)”;

13 (2) in paragraph (2), to read as follows:

14 “(2) ONSITE VISITS.—

15 “(A) VISITS.—The Secretary shall conduct  
 16 an onsite visit during the final year of each  
 17 State’s participation in the development grant  
 18 program. The Secretary shall conduct an addi-  
 19 tional onsite visit to any State that received an  
 20 extension grant under section 103 and whose  
 21 initial onsite visit occurred prior to the date of  
 22 enactment of the Technology-Related Assistance  
 23 Amendments of 1993.

1                   “(B) TEAM.—Two-thirds of the onsite  
2                   monitoring team in each case shall be qualified  
3                   peer reviewers, who—

4                   “(i) shall not be agency personnel;

5                   “(ii) shall be from States other than  
6                   the State being monitored; and

7                   “(iii) shall include an individual with  
8                   a disability, or a parent, family member,  
9                   guardian, advocate, or an authorized rep-  
10                  resentative of such an individual.

11                  “(C) COMPENSATION.—

12                  “(i) OFFICERS OR EMPLOYEES.—

13                  Members of any onsite monitoring team  
14                  who are officers or full-time employees of  
15                  the United States shall serve without com-  
16                  pensation in addition to that received for  
17                  their services as officers or employees of  
18                  the United States, but they may be allowed  
19                  travel expenses, including per diem in lieu  
20                  of subsistence, as authorized by section  
21                  5702 of title 5, United States Code, for in-  
22                  dividuals in the Government service travel-  
23                  ing on official business.

24                  “(ii) OTHER MEMBERS.—Members of  
25                  any onsite monitoring team who are not of-

1            ficers or full-time employees of the United  
2            States shall receive compensation at a rate  
3            not to exceed the daily equivalent of the  
4            rate of pay for level IV of the Executive  
5            Schedule under section 5315 of title 5,  
6            United States Code, for each day (includ-  
7            ing traveltime) during which such members  
8            are engaged in the actual performance of  
9            their duties as members of an onsite mon-  
10          itoring team. In addition, such members  
11          may be allowed travel expenses, including  
12          per diem in lieu of subsistence, as author-  
13          ized by section 5703 of title 5, United  
14          States Code, for individuals in the Govern-  
15          ment service employed intermittently.

16          “(D) REPORT.—The Secretary shall pre-  
17          pare a report of findings from the onsite visit.  
18          The Secretary shall consider the findings in de-  
19          termining whether to continue funding the pro-  
20          gram either with or without changes. The re-  
21          port shall be available to the public.”;

22          (3) by redesignating paragraphs (3) and (4) as  
23          paragraphs (4) and (5), respectively;

24          (4) by inserting after paragraph (2) the follow-  
25          ing:



1           “(3) ADVANCE PUBLIC NOTICE.—The Secretary  
 2           shall provide advance public notice of the onsite visit  
 3           and solicit public comment through such notice from  
 4           individuals with disabilities, and the parents, family  
 5           members, guardians, advocates, and authorized rep-  
 6           resentatives of such individuals, public service pro-  
 7           viders and private service providers, educators and  
 8           related services personnel, employers, and other ap-  
 9           propriate individuals and entities, regarding the  
 10          State program funded through a grant made under  
 11          section 102 or 103. The public comment solicitation  
 12          notice shall be included in the onsite visit report de-  
 13          scribed in paragraph (2).”; and

14           (5) in paragraph (4) (as redesignated by para-  
 15          graph (3) of this subsection) by striking “statewide  
 16          program” and inserting “consumer-responsive com-  
 17          prehensive statewide program”.

18          (b) CORRECTIVE ACTION PLAN.—Section 105(b) is  
 19          amended—

20           (1) in paragraph (2)—

21           (A) in the heading, by striking “PEN-  
 22           ALTIES” and inserting “CORRECTIVE ACTIONS”;

23           (B) by striking “or” at the end of subpara-  
 24           graph (B);

1 (C) by striking the period at the end of  
 2 subparagraph (C) and inserting “; or”; and

3 (D) by adding at the end the following:

4 “(D) required redesignation of the lead  
 5 agency designated under section 102(d), after  
 6 notice and an opportunity for comment, in  
 7 order to continue to receive funds through a  
 8 grant made under section 102 or 103.”; and

9 (2) in paragraph (3), by striking “subsection  
 10 (a)(4)” and inserting “subsection (a)(5)”.

11 (c) ADDITIONAL ADMINISTRATIVE PROVISIONS.—

12 Section 105 is amended by adding at the end the follow-  
 13 ing:

14 “(d) CHANGE OF PROTECTION AND ADVOCACY SERV-  
 15 ICES PROVIDER.—

16 “(1) DETERMINATION.—The Governor of a  
 17 State, based on input from individuals with disabili-  
 18 ties, or the parents, family members, guardians, ad-  
 19 vocates, or authorized representatives of such indi-  
 20 viduals, may determine that the entity providing  
 21 protection and advocacy services required by section  
 22 102(e)(18) has not met the protection and advocacy  
 23 service needs of the individuals with disabilities, or  
 24 the parents, family members, guardians, advocates,  
 25 or authorized representatives of such individuals for

1       securing funding for and access to assistive tech-  
2       nology devices and assistive technology services, and  
3       that there is good cause to provide the required serv-  
4       ices for the State through a contract with another  
5       nonprofit agency, organization or institution of high-  
6       er education.

7       “(2) NOTICE AND OPPORTUNITY TO BE  
8       HEARD.—On making such a determination, the Gov-  
9       ernor shall—

10               “(A) give the agency providing protection  
11               and advocacy services—

12                       “(i) 30 days notice of the intention of  
13                       the Governor to change the agency provid-  
14                       ing such services, including specification of  
15                       the good cause for such a change; and

16                       “(ii) an opportunity to respond to the  
17                       determination that good cause has been  
18                       shown;

19               “(B) provide individuals with disabilities,  
20       or the parents, family members, guardians, ad-  
21       vocates, or authorized representatives of such  
22       individuals, with timely notice of the proposed  
23       change and an opportunity for public comment;  
24       and

1           “(C) provide the agency with the oppor-  
2           tunity to appeal the determination on the basis  
3           that the change was not for good cause.

4           “(3) REVIEW.—At the request of the agency,  
5           the Secretary shall review the protection and advoca-  
6           cacy services provided by the entity pursuant to sec-  
7           tion 102(e)(18), based on the criteria for such serv-  
8           ices set out in the grant or contract to support such  
9           services that is described in such section.

10           “(4) REVIEW.—Based on such review, the Sec-  
11           retary may refuse to change the agency providing  
12           the protection and advocacy services.

13           “(e) ANNUAL REPORT.—

14           “(1) IN GENERAL.—Not later than December  
15           31 of each year, the Secretary shall prepare, and  
16           submit to the President and to the Congress, a re-  
17           port on Federal initiatives, including the initiatives  
18           funded under this Act, to improve the access of indi-  
19           viduals with disabilities to assistive technology de-  
20           vices and assistive technology services.

21           “(2) CONTENTS.—Such report shall include in-  
22           formation on—

23           “(A) the demonstrated successes of such  
24           Federal initiatives at the Federal and State lev-  
25           els in improving interagency coordination,



1       streamlining access to funding for assistive  
2       technology, and producing beneficial outcomes  
3       for users of assistive technology;

4       “(B) the demonstration activities carried  
5       out through the Federal initiatives to—

6               “(i) promote access to such funding in  
7       public programs that were in existence on  
8       the date of the initiation of the demonstra-  
9       tion activities; and

10              “(ii) establish additional options for  
11       obtaining such funding;

12       “(C) the education and training activities  
13       carried out through the Federal initiatives to  
14       promote such access in public programs and the  
15       health care system and the efforts carried out  
16       through such activities to train professionals in  
17       a variety of relevant disciplines, and increase  
18       the competencies of the professionals with re-  
19       spect to technology-related assistance;

20       “(D) the education and training activities  
21       carried out through the Federal initiatives to  
22       train individuals with disabilities, the parents,  
23       family members, guardians, advocates, or au-  
24       thorized representatives of individuals with dis-  
25       abilities, individuals who work for public agen-

1           cies, or for private entities (including insurers),  
2           that have contact with individuals with disabili-  
3           ties, educators and related services personnel,  
4           employers, and other appropriate individuals,  
5           about technology-related assistance;

6           “(E) the research activities carried out  
7           through the Federal initiatives to improve un-  
8           derstanding of the cost-benefit results of access  
9           to assistive technology for individuals with dis-  
10          abilities who represent a variety of ages and  
11          types of disabilities;

12          “(F) the program outreach activities to  
13          rural and inner-city areas that are carried out  
14          through the Federal initiatives;

15          “(G) the activities carried out through the  
16          Federal initiatives that are targeted to reach  
17          underserved groups; and

18          “(H) the consumer involvement activities  
19          in the programs carried out under this Act.

20          “(3) AVAILABILITY OF ASSISTIVE TECHNOLOGY  
21          DEVICES AND ASSISTIVE TECHNOLOGY SERVICES.—  
22          As soon as practicable, and to the extent that a na-  
23          tional classification system for assistive technology  
24          devices and assistive technology services is developed  
25          pursuant to section 201, the Secretary shall include

1 in the annual report required by this subsection in-  
2 formation on the availability of assistive technology  
3 devices and assistive technology services for individ-  
4 uals with disabilities, and shall report such informa-  
5 tion in a manner consistent with such national clas-  
6 sification system.

7 “(f) INTERAGENCY DISABILITY COORDINATING  
8 COUNCIL.—

9 “(1) CONTENTS.—On or before October 1,  
10 1995, the Interagency Disability Coordinating Coun-  
11 cil established under section 507 of the Rehabilita-  
12 tion Act of 1973 (29 U.S.C. 794c) shall prepare and  
13 submit to the President and to the Congress a re-  
14 port containing—

15 “(A) the response of the Interagency Dis-  
16 ability Coordinating Council to—

17 “(i) the findings of the National  
18 Council on Disability resulting from the  
19 study entitled ‘Study on the Financing of  
20 Assistive Technology Devices and Services  
21 for Individuals with Disabilities’, carried  
22 out in accordance with section 201 of this  
23 Act, as in effect on the day before the date  
24 of enactment of this subsection; and

1                   “(ii) the recommendations of the Na-  
2                   tional Council on Disability for legislative  
3                   and administrative change, resulting from  
4                   such study; and

5                   “(B) information on any other activities of  
6                   the Interagency Disability Coordinating Council  
7                   that facilitate the accomplishment of section  
8                   2(b)(2) with respect to the Federal Govern-  
9                   ment.

10                  “(2) COMMENTS.—The report shall include any  
11                  comments submitted by the National Council on  
12                  Disability as to the appropriateness of the response  
13                  described in paragraph (1)(A) and the effectiveness  
14                  of the activities described in paragraph (1)(B) in  
15                  meeting the needs of individuals with disabilities for  
16                  assistive technology devices and assistive technology  
17                  services.”.

18   **SEC. 106. AUTHORIZATION OF APPROPRIATIONS.**

19                  (a) AUTHORIZATION OF APPROPRIATIONS.—Section  
20   106(a) (29 U.S.C. 2216(a)) is amended by striking  
21   “\$9,000,000” and all that follows and inserting “such  
22   sums as may be necessary for each of the fiscal years 1994  
23   through 1996.”.

24                  (b) RESERVATIONS.—Section 106(b) (29 U.S.C.  
25   2216(b)) is amended to read as follows:



1       “(b) RESERVATIONS.—

2               “(1) PROVISION OF INFORMATION AND TECH-  
3       NICAL ASSISTANCE.—

4               “(A) IN GENERAL.—Of the funds appro-  
5       priated for any fiscal year under subsection (a),  
6       the Secretary shall reserve 2 percent or  
7       \$1,500,000, whichever is greater, of such funds,  
8       for the purpose of providing information and  
9       technical assistance as described in subpara-  
10      graphs (B) and (C) to States, individuals with  
11      disabilities, the parents, family members,  
12      guardians, advocates, or authorized representa-  
13      tives of such individuals, community-based or-  
14      ganizations, and protection and advocacy agen-  
15      cies.

16              “(B) TECHNICAL ASSISTANCE TO  
17      STATES.—In providing such information and  
18      technical assistance to States the Secretary  
19      shall consider the input of the directors of  
20      consumer-responsive comprehensive statewide  
21      programs of technology-related assistance, and  
22      shall provide information and technical assist-  
23      ance that—

24              “(i) facilitate service delivery capacity  
25      building, training of personnel from a vari-

1           ety of disciplines, and improvement of eval-  
2           uation strategies, research, and data collec-  
3           tion;

4           “(ii) foster the development and rep-  
5           lication of effective approaches to informa-  
6           tion referral, interagency coordination of  
7           training and service delivery, outreach to  
8           underserved groups, and public awareness  
9           activities;

10          “(iii) improve the awareness and  
11          adoption of successful approaches to in-  
12          creasing the availability of public and pri-  
13          vate funding for and access to the provi-  
14          sion of assistive technology devices and  
15          assistive technology services by appropriate  
16          State agencies;

17          “(iv) assist in planning, developing,  
18          implementing, and evaluating appropriate  
19          activities to further extend consumer-re-  
20          sponsive comprehensive statewide pro-  
21          grams of technology-related assistance for  
22          individuals with disabilities; and

23          “(v) promote effective approaches to  
24          the development of consumer-controlled  
25          systems that increase access to, funding

for, and awareness of assistive technology devices and assistive technology services.

“(C) INFORMATION AND TECHNICAL ASSISTANCE TO INDIVIDUALS WITH DISABILITIES AND OTHER PERSONS.—The Secretary shall provide such information and technical assistance to individuals with disabilities, the parents, family members, guardians, advocates, or authorized representatives of such individuals, community-based organizations, and protection and advocacy agencies, on a nationwide basis, to—

“(i) foster awareness and understanding of Federal, State, and local laws, regulations, policies, practices, procedures, and organizational structures, that facilitate, and overcome barriers to, funding for and access to assistive technology devices and assistive technology services, to promote fuller independence, productivity, and inclusion for individuals of all ages who are individuals with disabilities;

“(ii) facilitate effective systemic change activities;

- 1                   “(iii) improve the understanding and  
2                   use of assistive technology funding deci-  
3                   sions made as a result of policies, prac-  
4                   tices, and procedures, or through regula-  
5                   tions, administrative hearings, or legal ac-  
6                   tions, that enhance access to funding for  
7                   assistive technology devices and assistive  
8                   technology services for individuals with dis-  
9                   abilities;
- 10                  “(iv) promote effective approaches to  
11                  Federal-State coordination of programs for  
12                  individuals with disabilities, through infor-  
13                  mation dissemination and technical assist-  
14                  ance activities in response to funding pol-  
15                  icy issues identified on a nationwide basis  
16                  by organizations, and individuals, that im-  
17                  prove funding for or access to assistive  
18                  technology devices and assistive technology  
19                  services for individuals of all ages who are  
20                  individuals with disabilities; and
- 21                  “(v) promote effective approaches to  
22                  the development of consumer-controlled  
23                  systems that increase access to, funding  
24                  for, and awareness of assistive technology  
25                  devices and assistive technology services,



1 including the identification and description  
2 of mechanisms and means that successfully  
3 support self-help and peer mentoring  
4 groups for individuals with disabilities.

5 “(D) COORDINATION.—The Secretary shall  
6 coordinate the information and technical assist-  
7 ance activities carried out under subparagraph  
8 (B) or (C) with other activities funded under  
9 this Act.

10 “(E) GRANTS, CONTRACTS, OR COOPERA-  
11 TIVE AGREEMENTS.—

12 “(i) IN GENERAL.—The Secretary  
13 shall provide the technical assistance and  
14 information described in subparagraphs  
15 (B) and (C) through grants, contracts, or  
16 cooperative agreements with public or pri-  
17 vate agencies and organizations, including  
18 institutions of higher education, with docu-  
19 mented experience, expertise, and capacity  
20 to carry out identified activities related to  
21 the provision of such technical assistance  
22 and information.

23 “(ii) ENTITIES WITH EXPERTISE IN  
24 ASSISTIVE TECHNOLOGY SERVICE DELIV-  
25 ERY, INTERAGENCY COORDINATION, AND

1 SYSTEMIC CHANGE ACTIVITIES.—For the  
2 purpose of achieving the objectives de-  
3 scribed in paragraph (1)(B), the Secretary  
4 shall reserve not less than 45 percent and  
5 not more than 55 percent of the funds re-  
6 served under subparagraph (A) for each  
7 fiscal year for grants to, or contracts or co-  
8 operative agreements with, public or pri-  
9 vate agencies or organizations with docu-  
10 mented experience with and expertise in  
11 assistive technology service delivery, inter-  
12 agency coordination, and systemic change  
13 activities.

14 “(iii) ENTITIES WITH EXPERTISE IN  
15 ASSISTIVE TECHNOLOGY SYSTEMIC  
16 CHANGE, PUBLIC FUNDING OPTIONS, AND  
17 OTHER SERVICES.—For the purpose of  
18 achieving the objectives described in para-  
19 graph (1)(C), the Secretary shall reserve  
20 not less than 45 percent and not more  
21 than 55 percent of the funds reserved  
22 under subparagraph (A) for each fiscal  
23 year for grants to, or contracts or coopera-  
24 tive agreements with, public or private

1 agencies or organizations with documented  
2 experience with and expertise in—

3 “(I) assistive technology systemic  
4 change;

5 “(II) public funding options; and

6 “(III) services to increase nation-  
7 wide the availability of funding for  
8 assistive technology devices and  
9 assistive technology services.

10 “(iv) ENTITY WITH EXPERTISE IN  
11 FUNDING.—The Secretary may reserve  
12 funds equally from the amounts reserved  
13 under clauses (ii) and (iii) for a fiscal year  
14 in an amount up to \$300,000 for an addi-  
15 tional grant to, or contract or cooperative  
16 agreement with, a public or private organi-  
17 zation with demonstrated expertise in  
18 funding. An organization that receives  
19 funding through such a grant, contract, or  
20 agreement shall use the funding to provide  
21 information and technical assistance spe-  
22 cifically related to funding to assist the  
23 agencies, and organizations described in  
24 clauses (ii) and (iii) in carrying out activi-  
25 ties under this paragraph.

1                   “(v) APPLICATION.—The Secretary  
2                   shall make any grants, and enter into any  
3                   contracts or cooperative agreements, under  
4                   this subsection on a competitive basis. To  
5                   be eligible to receive funds under this sub-  
6                   section an agency, organization, or institu-  
7                   tion shall submit an application to the Sec-  
8                   retary at such time, in such manner, and  
9                   containing such information as the Sec-  
10                  retary may require.

11               “(2) ONSITE VISITS.—The Secretary may re-  
12               serve, from amounts appropriated for any fiscal year  
13               under subsection (a), such sums as the Secretary  
14               considers to be necessary for the purposes of con-  
15               ducting onsite visits as required by section  
16               105(a)(2).”.

17 **SEC. 107. REPEALS.**

18               Section 107 (29 U.S.C. 2217) is repealed.

19               **TITLE II—PROGRAMS OF**  
20               **NATIONAL SIGNIFICANCE**

21 **SEC. 201. NATIONAL CLASSIFICATION SYSTEM.**

22               Part A of title II (29 U.S.C. 2231 et seq.) is amended  
23               to read as follows:



1     **“PART A—NATIONAL CLASSIFICATION SYSTEM**

2     **“SEC. 201. CLASSIFICATION SYSTEM.**

3         **“(a) PILOT PROJECT.—**

4             **“(1) IN GENERAL.—**The Secretary shall con-  
5     duct a pilot project to develop and test a national  
6     classification system for assistive technology devices  
7     and assistive technology services, with the goal of  
8     obtaining uniform data through such a system on  
9     such devices and services across public programs  
10    and information and referral networks.

11            **“(2) CONTRACTS AND COOPERATIVE AGREE-**  
12    **MENTS.—**The Secretary may carry out this section  
13    directly, or, if necessary, by entering into contracts  
14    or cooperative agreements with appropriate entities.

15         **“(b) SINGLE TAXONOMY.—**In conducting the pilot  
16    project, the Secretary shall develop a national classifica-  
17    tion system that includes a single taxonomy and nomen-  
18    clature for assistive technology devices and assistive tech-  
19    nology services.

20         **“(c) DATA COLLECTION INSTRUMENT.—**In conduct-  
21    ing the pilot project, the Secretary shall develop a data  
22    collection instrument to—

23            **“(1) collect data regarding funding for assistive**  
24    technology devices and assistive technology services;  
25    and

1 “(2) collect such data from public programs, in-  
2 cluding, at a minimum, programs carried out  
3 under—

4 “(A) title I, VI, or VII of the Rehabilita-  
5 tion Act of 1973 (29 U.S.C. 720 et seq., 795  
6 et seq., or 796 et seq.);

7 “(B) part B or H of the Individuals with  
8 Disabilities Education Act (20 U.S.C. 1411 et  
9 seq. or 1471 et seq.);

10 “(C) title V or XIX of the Social Security  
11 Act (42 U.S.C. 701 et seq. or 1396 et seq.);

12 “(D) the Older Americans Act of 1965 (42  
13 U.S.C. 3001 et seq.); or

14 “(E) the Developmental Disabilities Assist-  
15 ance and Bill of Rights Act (42 U.S.C. 6000 et  
16 seq.).

17 “(d) CONSULTATION AND COORDINATION.—

18 “(1) CONSULTATION.—The Secretary shall con-  
19 duct the pilot project in consultation with the Inter-  
20 agency Disability Coordinating Council established  
21 under section 507 of the Rehabilitation Act of 1973  
22 (29 U.S.C. 794c) and the National Council on Dis-  
23 ability established under section 400 of such Act (29  
24 U.S.C. 780).

1           “(2) COORDINATION.—The Secretary shall co-  
2     ordinate activities related to conducting the pilot  
3     project with—

4           “(A) activities carried out through State  
5     programs funded under title I;

6           “(B) the provision of technical assistance  
7     under section 106(b);

8           “(C) data collection activities that are  
9     being carried out on the date on which the Sec-  
10    retary initiates the pilot project;

11          “(D) activities being carried out through  
12    data collection systems in existence on such  
13    date; and

14          “(E) activities of appropriate entities, in-  
15    cluding entities involved in the information and  
16    referral field.

17          “(e) TIMING.—The Secretary shall complete the pilot  
18    project not later than 24 months after the date of enact-  
19    ment of this section.

20          “(f) REPORT TO CONGRESS ON IMPLEMENTATION OF  
21    UNIFORM DATA COLLECTION SYSTEM.—Not later than  
22    January 1, 1996, the Secretary shall prepare and submit  
23    to the appropriate committees of Congress a report  
24    containing—

25          “(1) the results of the pilot project; and

1           “(2) the recommendations of the Secretary con-  
2           cerning the feasibility of implementing a uniform  
3           data collection system based on such a national clas-  
4           sification system.

5           “(g) RESERVATION.—From the amounts appro-  
6           priated under part D, the Secretary shall reserve  
7           \$200,000 to carry out this part.”.

8           **SEC. 202. TRAINING AND PUBLIC AWARENESS PROJECTS.**

9           Section 221 (29 U.S.C. 2251) is amended—

10           (1) in subsection (a)—

11           (A) in paragraph (1)—

12           (i) by striking “institutions of higher  
13           education” and inserting “institutions of  
14           higher education and community-based or-  
15           ganizations”;

16           (ii) in subparagraph (A), by striking  
17           “and” at the end;

18           (iii) by striking the period at the end  
19           of subparagraph (B), and inserting the fol-  
20           lowing: “, to enhance opportunities for  
21           independence, productivity, and inclusion  
22           of individuals with disabilities; and”; and

23           (iv) by adding at the end the follow-  
24           ing:



1           “(C) providing training to develop aware-  
2           ness, skills, and competencies of service provid-  
3           ers, consumers, and volunteers, who are located  
4           in rural areas, to increase the availability of  
5           technology-related assistance in community-  
6           based settings for rural residents who are indi-  
7           viduals with disabilities.”;

8           (B) in paragraph (2)—

9           (i) by striking “needs of individuals  
10          with disabilities” and all that follows and  
11          inserting the following: “needs of individ-  
12          uals with disabilities, the parents, family  
13          members, guardians, advocates, and au-  
14          thorized representatives of the individuals,  
15          individuals who work for public agencies,  
16          or for private entities (including insurers),  
17          that have contact with individuals with dis-  
18          abilities, educators and related services  
19          personnel, employers, and other appro-  
20          priate individuals.”; and

21          (C) by adding at the end the following new  
22          paragraphs:

23          “(3) USES OF FUNDS.—An agency or organiza-  
24          tion that receives a grant under paragraph (1) may  
25          use amounts made available through the grant to—

1           “(A) pay for a portion of the cost of  
2           courses of training or study related to tech-  
3           nology-related assistance; and

4           “(B) establish and maintain scholarships  
5           related to such courses of training or study,  
6           with such stipends and allowances as the Sec-  
7           retary may determine to be appropriate.

8           “(4) APPLICATION.—

9           “(A) IN GENERAL.—To be eligible to re-  
10          ceive a grant under this section, an agency or  
11          organization shall submit an application to the  
12          Secretary at such time, in such manner, and  
13          containing such information as the Secretary  
14          may require.

15          “(B) STRATEGIES.—At a minimum, any  
16          such application shall include a detailed descrip-  
17          tion of the strategies that the agency or organi-  
18          zation will use to recruit and train persons to  
19          provide technology-related assistance, in order  
20          to—

21                 “(i) increase the extent to which such  
22                 persons reflect the diverse populations of  
23                 the United States; and

24                 “(ii) increase the number of individ-  
25                 uals with disabilities, and individuals who

1 are members of minority groups, who are  
2 available to provide such assistance.”; and

3 (2) in subsection (b)—

4 (A) in paragraph (1), by inserting “public  
5 and private agencies and organizations, includ-  
6 ing” before “institutions of higher education”;

7 (B) in paragraph (2), by striking “prepa-  
8 ration of personnel” and all that follows and in-  
9 serting the following: “interdisciplinary prepa-  
10 ration of personnel who provide or who will pro-  
11 vide technical assistance, who administer pro-  
12 grams, or who prepare other personnel, in order  
13 to—

14 “(A) support the development and imple-  
15 mentation of consumer-responsive comprehen-  
16 sive statewide programs of technology-related  
17 assistance to individuals with disabilities; and

18 “(B) enhance the skills and competencies  
19 of individuals involved in the provision of tech-  
20 nology-related assistance, including assistive  
21 technology devices and assistive technology  
22 services, to individuals with disabilities.”;

23 (C) in paragraph (3), to read as follows:

1           “(3) USES OF FUNDS.—An agency or organiza-  
2           tion that receives a grant under paragraph (1) may  
3           use amounts made available through the grant to—

4                 “(A) pay for a portion of the cost of  
5                 courses of training or study related to tech-  
6                 nology-related assistance; and

7                 “(B) establish and maintain scholarships  
8                 related to such courses of training or study,  
9                 with such stipends and allowances as the Sec-  
10                retary may determine to be appropriate.”; and

11                (D) by adding at the end the following:

12           “(4) APPLICATION.—

13                 “(A) IN GENERAL.—To be eligible to re-  
14                ceive a grant under this section, an agency or  
15                organization shall submit an application to the  
16                Secretary at such time, in such manner, and  
17                containing such information as the Secretary  
18                may require.

19                 “(B) STRATEGIES.—At a minimum, any  
20                such application shall include a detailed descrip-  
21                tion of the strategies that the agency or organi-  
22                zation will use to recruit and train persons to  
23                provide technology-related assistance, in order  
24                to—



1                   “(i) increase the extent to which such  
2                   persons reflect the diverse populations of  
3                   the United States; and

4                   “(ii) increase the number of individ-  
5                   uals with disabilities, and individuals who  
6                   are members of minority groups, who are  
7                   available to provide such assistance.”.

8   **SEC. 203. DEMONSTRATION AND INNOVATION PROJECTS.**

9       Section 231(b)(3) (29 U.S.C. 2261(b)(3)) is amended  
10 to read as follows:

11           “(3) DIRECT LOAN PROJECTS.—Demonstration  
12 projects carried out in accordance with regulations  
13 issued by the Secretary (which may include a re-  
14 quirement that the Secretary provide not more than  
15 90 percent of the costs of carrying out any such  
16 project under this section) to—

17           “(A) examine alternative direct loan pro-  
18 grams, including—

19                   “(i) programs involving low-interest  
20 loan funds;

21                   “(ii) programs involving revolving loan  
22 funds; and

23                   “(iii) loan insurance programs,  
24 that would provide loans to individuals with dis-  
25 abilities, the parents, family members, guard-

1           ians, advocates, or authorized representatives of  
2           individuals with disabilities, or employers of in-  
3           dividuals with disabilities; and

4                   “(B) evaluate the efficacy of the particular  
5           loan systems involved.”.

6   **SEC. 204. AUTHORIZATION OF APPROPRIATIONS.**

7           Section 241 (29 U.S.C. 2271) is amended to read as  
8   follows:

9   **“SEC. 241. AUTHORIZATION OF APPROPRIATIONS.**

10        “There are authorized to be appropriated to carry out  
11   this title such sums as may be necessary for each of the  
12   fiscal years 1994, 1995, and 1996.”.

13   **SEC. 205. REPEALS AND REDESIGNATIONS.**

14        Title II (29 U.S.C. 2231 et seq.) is amended—

15           (1) by repealing part B;

16           (2) by redesignating parts C, D, and E as parts  
17   B, C, and D, respectively;

18           (3) by repealing section 222;

19           (4) by redesignating sections 221 and 223 as  
20   sections 211 and 212, respectively; and

21           (5) by redesignating sections 231 and 241 as  
22   sections 221 and 231, respectively.

# **TITLE III—REQUIREMENTS UNDER HEAD START ACT**

## **SEC. 301. ADMINISTRATIVE REQUIREMENTS UNDER THE HEAD START ACT.**

Section 644(f) of the Head Start Act (42 U.S.C. 9839(f)) is amended—

(1) in paragraph (1)—

(A) by inserting “, or to approve a prior purchase of” after “to purchase,”; and

(B) by inserting before the period at the end thereof the following: “, and shall suspend any proceedings pending against any Head Start agency to claim costs incurred in purchasing such facilities until the agency has been afforded an opportunity to apply for approval of the purchase and the Secretary has determined whether the purchase will be approved. The Secretary shall not be required to repay claims previously satisfied by Head Start agencies for costs incurred in the purchase of facilities”; and

(2) in paragraph (2)—

(A) in subparagraph (A), by inserting “or that was previously purchased” before the semicolon; and

(B) in subparagraph (C)—



3 8095 00018073 3

1 (i) by inserting “, or the previous pur-  
2 chase has resulted,” after “purchase will  
3 result” in clause (i); and

4 (ii) by inserting “, or would have pre-  
5 vented,” after “will prevent” in clause (ii).

Passed the Senate August 5 (legislative day, June  
30), 1993.

Attest:

WALTER J. STEWART,

*Secretary.*